

Zoning Text Amendment No.: 17-02
Concerning: Overlay Zone – Regional
Shopping Center
Draft No. & Date: 1-5/16/17
Introduced: May 16, 2017
Public Hearing:
Adopted:
Effective:
Ordinance No.:

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION OF
THE MARYLAND-WASHINGTON REGIONAL DISTRICT WITHIN
MONTGOMERY COUNTY, MARYLAND**

By: Council President at the request of the Planning Board

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- allow residential uses in the Regional Shopping Center (RSC) Overlay Zone; and allow additional height in the Overlay zone to accommodate development of residential buildings or multi-use buildings with residential units; and
- generally amend the provisions of the Regional Shopping Center (RSC) Overlay zone

By amending the following sections of the Montgomery County Zoning Ordinance, Chapter 59 of the Montgomery County Code:

ARTICLE 59-4. “Development Standards for Euclidean Zones”
Section 59.4.9. “Overlay Zones”
Section 59. 4.9.11. “Regional Shopping Center (RSC) Overlay Zone”

EXPLANATION: ***Boldface** indicates a Heading or a defined term.*

Underlining indicates text that is added to existing law by the original text amendment.

[Single boldface brackets] indicate text that is deleted from existing law by original text amendment.

Double underlining indicates text that is added to the text amendment by amendment.

[[Double boldface brackets]] indicate text that is deleted from the text amendment by amendment.

** * * indicates existing law unaffected by the text amendment.*

ORDINANCE

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following ordinance:

Sec. 1. ARTICLE 59-4 is amended as follows:

DIVISION 4.9. Overlay Zones

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Section 4.9.11. Regional Shopping Center (RSC) Overlay Zone

B. Land Uses

The following uses are permitted as part of a regional shopping center:

1. Hotel, Motel
2. The following Recreation and Entertainment Facility use: theater complex
3. Combination Retail
4. Retail/Service Establishment (85,001 - 120,000 SF)
5. Retail/Service Establishment (120,001 SF and Over)
6. Residential

C. Development Standards

1. To accommodate development at a regional shopping center with a gross leasable area that is greater than or will be greater than (if approved by site plan) 1,200,000 square feet, building height may be increased to:
 - a. 90 feet for a building that includes a theater complex[, and];
 - b. 130 feet for a Hotel, Motel; and
 - c. 150 feet for an apartment building or a multi-use building with residential use.
2. Any portion of a building over 45 feet in height must be set back from an abutting property in an Agricultural, Rural Residential, or Residential zone a minimum of 3 feet for each 1 foot of building height over 45 feet.

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E. Parking

1. Requirement

- a. The parking requirement for a regional shopping center is 4 parking spaces for each 1,000 square feet of gross leasable area.
- b. The parking requirement for separate [standing] office and professional [buildings] uses, and for any residential use, is under Division 6.2.

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Sec. 2. Effective date. This ordinance becomes effective 20 days after the date of Council adoption.

This is a correct copy of Council action.

Linda M. Lauer, Clerk of the Council